

# CITY OF SAN ANTONIO, TEXAS

## DIVISION OF TREASURY

506 Dolorosa Street—Telephone (210)207-8667

Last Updated: November 7, 1997

### PEDDLER'S, CANVASSER'S AND PHOTOGRAPHER'S LICENSES

*The San Antonio City Code, Chapter 16, establishes rules for Peddlers, Hawkers, Solicitors, Transient Merchants and Sidewalk Photographers, and the types of licenses required.*

**A. ORDINANCES:** The following ordinances and amendments (if any) are part of Chapter 16:

**51213** Requires Peddlers or Canvassers of tangible property to be licensed and provides for fees and penalties. (9/6/79)

**71697** Restricts the hours of use of each license: Places, Private Property, telephone, and door-to-door -- 8 AM to 8 PM and provides certain definitions of terms, and specifies allowable locations and/or limits thereon. (6/7/90)

**63230** Requires Sidewalk Photographer to be licensed. (7/16/86)

**66193** Special notes regarding certain special days near San Fernando Cemetery. (12/3/87)

**79180** Animals may NOT be sold.

**B. DEFINITIONS:** *The following definitions will apply as used in the ordinances:*

- **Peddler** — The term *peddler* shall include the term "hawker" and shall mean any person who makes retail sales of tangible property from house to house or in any public place, and such sales are not made from an established place and delivery is made at the time of sale, whether or not payment is collected at the time of such sale.
- **Canvasser** — The term "*canvasser*" includes "*solicitor*" and any person who makes retail sales for "future delivery" of tangible property from house to house or in any public place, whether or not payment is collected at the time of such sale, and such sales are taxable transactions under the provision of the Limited Sales, Excise and Use Tax Act of the State of Texas.
- **Tangible Property** — The phrase "*tangible property*" means property, which may be seen, weighed, measured, felt, or touched, or which is in any other manner perceptible to the senses.
- **Retail Sale** — The phrase "*retail sale*" means any sale other than a sale of tangible property to any purchaser who is purchasing said tangible property for the purpose of reselling it in the normal course of business either in the form or condition in which it is purchased or as an attachment to, or integral part of, other tangible property.

- **Public Places** — Public place shall mean a place to which the general public has a right to resort and is not prohibited by section 19-8 of the City Code, but DOES NOT INCLUDE streets, traffic medians, shoulders and improved shoulders.

**C. LICENSE FEES AND DURATION OF LICENSES:**

<i>LICENSE</i>	<i>120 Days</i>	<i>1 YEAR</i>
<b>Foot Peddler</b>	\$20.00	\$60.00
<b>Truck Peddler</b>	30.00	90.00
<b>Canvasser</b>	10.00	30.00
<b>Photographer</b>	n/a	25.00
<b>Downtown Business District</b>		300.00

**D. RELATED LICENSE AND AUTHORIZATION FOR CERTAIN LICENSES:**

Certain licenses, and/or authorization for vendor location, must be obtained from other City Departments in addition to or in lieu of Peddler's licenses.

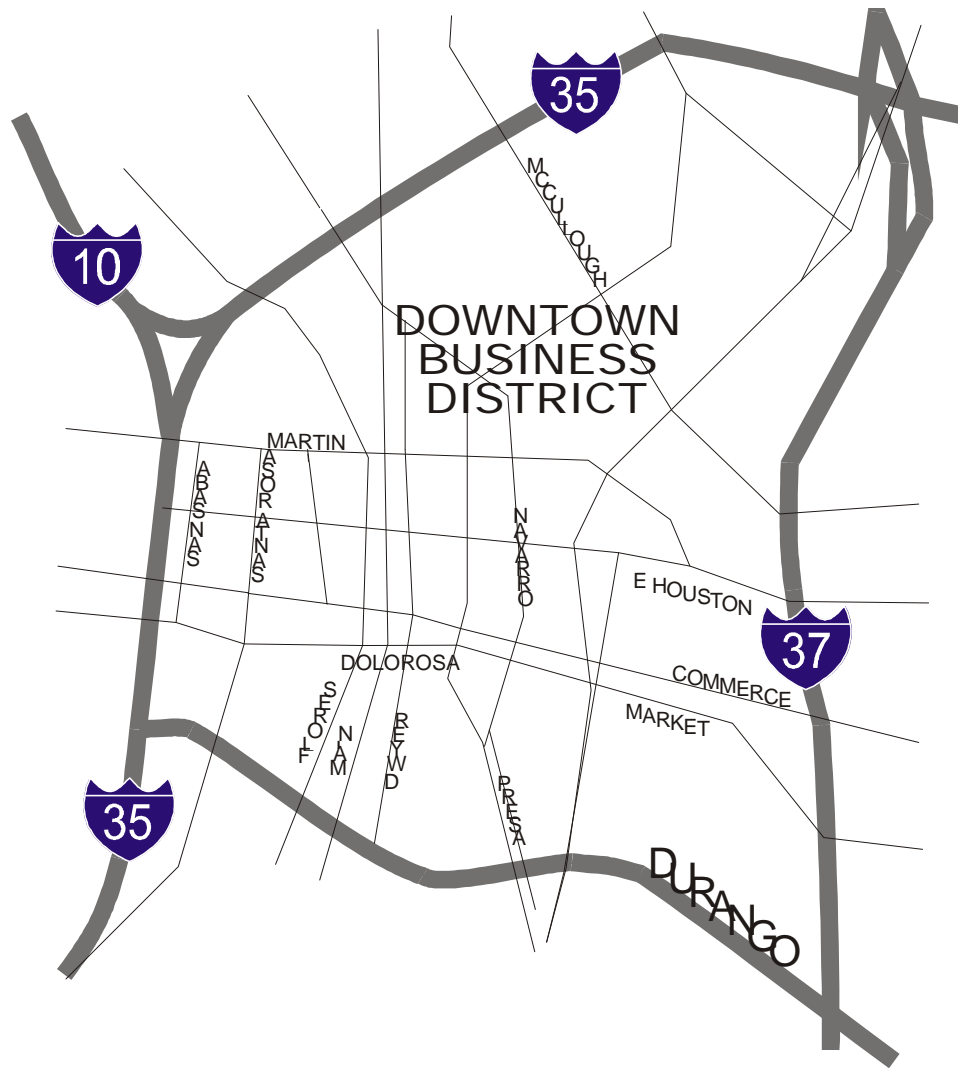
*Peddler's licenses on this application are not valid for the following purposes:*

- **Food and Beverages** — Any person who peddles food or beverage for human consumption shall not be subject to the licensing provision of Ordinance 51213, but must be licensed for such peddling by the Metropolitan Health District as provided in Chapter 13 of the City Code. This Department is located at 332 West Commerce Street.

*Peddler's licenses are required and may only be used in conjunction with additional licenses required in the following area:*

- **Vending in the "Downtown Business District"** — Peddling of anything in the area designated "Downtown Business District" (see map) requires an additional permit as provided by Parks & Recreation. Applications for this permit must be obtained from the Parks and Recreation Department located at 115 Plaza De Armas (*building west of City Hall*).

**DOWNTOWN BUSINESS DISTRICT**



*Peddler's licenses are not required in the following areas:*

- **Alamo Dome Area** — The Alamo Dome issues permits for vending on the Alamo Dome premises.
- **Market Square** — Market Square issues permits for vending in the Market Square area and Farmer's Market.

#### **E. AREAS PROHIBITED TO PEDDLERS AND CANVASSERS:**

***It shall be unlawful for any person to peddle, canvass, or solicit or cause or permit to be peddled, canvassed, or solicited any tangible property or services on the grounds of the City of San Antonio municipally owned property, including public streets, public right of way and/or public sidewalks, with the exception of:***

- Parks, as provided under the applicable provisions of Chapter 22. (See Parks & Recreation Department for information on additional special license required for Downtown business district, and its requirements, restrictions and rules).

- Persons and their agents who have contracted for services with the City of San Antonio for sales on the grounds of the City of San Antonio municipally owned property.

#### F. APPLICATION:

Applicants for license shall file a written sworn application with the Division of Treasury at least five (5) days prior to the date of the initial contemplated sale. The application shall state the description and license plate number of any vehicles intended to be operated in connection with this license and the kind of merchandise to be peddled or canvassed. The application must be completely filled in by the applicant. The completed application will be taken to Room 123 in the San Antonio Police Department, 214 W. Nueva, for review prior to a License being issued.

#### G. PENALTY:

Any person who shall knowingly violate any provisions of the City Code shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine not exceeding five hundred dollars (\$500.00).

#### H. TRANSFER OF LICENSE:

Licenses are not transferable and the authority of a license shall be conferred only on the licensee named thereon.

#### I. RESTRICTIONS:

In addition to the limitations in "E" above, no person shall store or keep or offer for sale any tangible property on any traffic island, median or other traffic control device. Permission from owner of private property must be obtained.

#### J. REVOCATION:

License may be revoked if licensee is convicted of a violation of provision(s) of license or if licensee has made a false statement in the application of such license or otherwise becomes disqualified for the issuance of said license.

#### DIRECTORY/CONTACTS

Code Compliance Department 115 Plaza De Armas—	207-7230
Health Department 322 W Commerce—	(210)207-8853
Parks and Recreation Plaza De Armas—	(210)207-8480
Police Department 214 W Nueva St—Records Rm 123	
Treasury Division 506 Dolorosa—	(210)207-8667

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